IN THE HIGH COURT OF BOMBAY AT GOA

COMPANY APPLICATION NO. 34 OF 2006

Shri Manuel Travasso,
resident of Sao Jose de Areal,
Salcete-Goa. .... Applicant

versus

M/s National Auto Accessories
Ltd., through its Official
Liquidator, Shri M. M. Gupta,
IFCI Limited, Room No.22/23,
"B" Block, Mezzanine Floor,
EDC House, Dr. Dada Vaidya
Road, Panaji-Goa. .... Respondent

Mr. D. Pangam, Advocate for the Appellant.

Ms. Amira Razaq, Advocate for the Respondent.

CORAM : N. A. BRITTO, J.

DATE : 23RD FEBRUARY, 2007.

P. C. :-

Heard the learned Counsel on behalf of the applicant and the respondent.

This is an application filed against Orders of the Official Liquidator disallowing certain claims made by the applicant. On behalf of the respondent, the learned Counsel Ms. Amira Razaq has submitted with reference to Company Application No.34 of 2006 that the Official Liquidator would like to recall the said Order and consider the claim of the applicant afresh in accordance with law. As far as the appeal No.2 of 2006 is concerned, it appears that the Official Liquidator has not complied with the provisions of Rule 163 of the Companies(Court) Rules, 1959 by

stating the reasons for rejecting the part of the claim of the applicant. The learned Counsel Mr. D. Pangam on behalf of the applicant has no objection for setting aside the orders of the Official Liquidator and for remanding the respective cases for reconsideration, in accordance with law.

Consequently, the application is allowed. The impugned Orders are set aside in the light of what has been stated herein above and the Official Liquidator is hereby directed to consider the claims of the applicant, the ex-employee of the Company in liquidation in accordance with law and particularly Rule 163 of the aforesaid Rules within a period of three weeks after hearing the applicant.

Order accordingly.

N. A. BRITTO, J.

RD